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January 21, 2010

Via ECF filing and mail

The Honorable Leonard D. Wexler
United States District Court Judge
United States District Court, Eastern District of New York
202 Federal Plaza
Room 944
Central Islip, N.Y. 11722

**Re: Louis Pitch and Donna Pitch v. Mark C. Hotton, Sherri Hotton
and Trinity Management Consulting Corp. Index No. 09-5599.**

Dear Judge Wexler:

I represent the plaintiffs in the above referenced action and write concerning the pre-hearing conference held this morning. This will confirm that this Court Ordered defendants to provide all source documents i.e. actual bank or other financial records reflecting each and every transfer of the \$5,100,000 that was provided to defendants by plaintiffs and all records reflecting where this money is presently located. In the event that any of this money was spent, then all invoices and all source back-up documentation reflecting how and when this money was spent need to be provided. Defendants' counsel has represented that the defendants have transferred much of this money to other entities "affiliated", under joint ownership with or otherwise controlled by defendants. To the extent that plaintiffs' savings were transferred to these other entities, bank records, financial records and other source documents reflecting what these other entities purportedly did with my clients' money must be produced. The Court Ordered that defendants provide these source documents within two weeks to the undersigned or no later than February 4, 2010.

Since there is clear evidence of fraudulent loan documents and fraudulent wire transfer documentation prepared by defendants (See Expert Report of ALR Forensics dated January 13, 2010, Docket #20), and there is presently an Order to Show Cause seeking a Contempt of Court Order in New York Supreme Court for Defendant Sherri Hotton's repeated failure to provide books and records and failure to transfer monies to the Court Appointed Receiver (See Exhibits D and E attached to the January 18, 2010 Dennin Affirmation, Docket #19), plaintiffs are extremely concerned that defendants may provide altered or incomplete source documentation concerning what defendants

did with plaintiffs' \$5,100,000. Accordingly, Plaintiffs respectfully request that this Court Order that defendants also provide a complete list of all bank or other financial institution accounts including the name and address of each the financial institutions that received any of my clients' monies so that subpoenas to these institutions can be served to obtain basic information concerning what defendants did with plaintiffs' \$5,100,000.00 (Five Million One Hundred Thousand Dollars).

The Court scheduled a status conference concerning the above on February 23, 2010 at 10:00 A.M. Counsel for the parties will contact the Court prior to February 23, 2010 to discuss whether the conference should be held telephonically or in person.

A proposed Order concerning the above is attached.

Respectfully submitted,

Timothy J. Dennin

TJD/tam

cc: Timothy Feil, Esq. (via ECF w/ enclosures)